

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion to Determine
Whether Baseline Allowances for Residential
Usage of Gas and Electricity Should Be Revised.

Rulemaking 01-05-047

**ADMINISTRATIVE LAW JUDGE'S RULING
REOPENING THE RECORD, RECEIVING EXHIBITS,
AND SUBMITTING THE RECORD**

During the evidentiary hearing in this proceeding on September 13, 2002, rulings on the motion of Southern California Edison Company (SCE) for the receipt into evidence of Exhibit 182 and the motion of Pacific Gas and Electric Company (PG&E) for the receipt into evidence of Exhibit 187 were deferred. A schedule was established for parties to submit one late-filed item marked for identification, several late-filed exhibits, and any opposition to the receipt of Exhibit 182, Exhibit 187, or any of the late-filed exhibits.

On September 23, 2002, San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas) filed a motion to reopen the record to receive late-filed exhibits. On September 24, 2002, SDG&E and SoCalGas filed errata to their motion. SDG&E and SoCalGas ask that a revised Exhibit 184 be received to correct information in Exhibit 184, which had been received into evidence on September 13, 2002. They also request that a new exhibit consisting of the work-papers of witness William J. Saxe be received.

On September 24, 2002, Southwest Gas Corporation (Southwest Gas) filed a motion to reopen the record to receive a late-filed exhibit. Southwest Gas asks for receipt of an attached exhibit regarding secondary residential customers.

No objections to the motions to reopen the record and no objections to the receipt of Exhibit 182, Exhibit 187, or any of the late-filed exhibits were filed. PG&E reported that it would not late-file a document for which exhibit number 188 had been reserved.

IT IS RULED that:

1. The document entitled “Pacific Gas and Electric Company Thirteenth Annual Progress Report to the California Public Utilities Commission California Alternative Rates for Energy (CARE) January 1, 2001—December 31, 2001,” submitted on September 16, 2002, is marked as Item Marked for Identification 5.
2. Exhibit 182 is received into evidence.
3. Exhibit 187 is received into evidence.
4. The two-page document entitled “Southern California Edison Company’s Late-Filed Exhibit: Clarification of Exhibit 182,” distributed on September 23, 2002, is marked as Exhibit 191 and is received into evidence.
5. The 13-page document entitled “Pacific Gas and Electric Company Baseline OIR—Phase 2 Report on Implementation Timeframes for Baseline Program Revisions,” distributed on September 23, 2002, is marked as Exhibit 192 and is received into evidence.
6. The 13-page document entitled “Southern California Edison Company’s Late-Filed Exhibit: Estimates of Implementation Timeframes For Proposals In Phase 2 of R.01-05-047,” distributed on September 23, 2002, is marked as Exhibit 193 and is received into evidence.

7. The three-page document entitled “San Diego Gas & Electric Company and Southern California Gas Company Baseline OIR—Phase 2 Implementation Time for Phase 2 Proposals,” distributed on September 23, 2002, is marked as Exhibit 194 and is received into evidence.

8. The Motion of San Diego Gas & Electric Company and Southern California Gas Company to Reopen the Record to Receive Late-Filed Exhibits is granted.

9. The two-page document identified as Exhibit No. 184 (Revised 9/23/02), which was attached to the errata to the SDG&E/SoCalGas motion, is marked as Revised Exhibit 184 and is received into evidence.

10. The three-page document identified as “San Diego Gas & Electric Company Baseline OIR—Phase 2 Electric Revenue Impact Calculation from Change in Baseline Allowances June—December 2002 Revenue Shortfall and Electric Revenue Impact Calculation from Change in Baseline Allowances 2003 Annual Revenue Shortfall Absent Necessary Rate Changes,” which was attached to the errata to the SDG&E/SoCalGas motion, is marked as Exhibit 195 and is received into evidence.

11. The Motion of Southwest Gas Corporation to Reopen the Record to Receive Late-Filed Exhibit is granted.

12. The one-page document identified as “Southwest Gas Corporation Projected Number and Percentage of Secondary Residential Customers by District for Twelve Months Ended December 2003,” which was attached to the Southwest Gas motion, is marked as Exhibit 196 and is received into evidence.

13. The record on Phase 2 issues in Rulemaking 01-05-047 is submitted subject to the receipt of initial briefs and reply briefs.

Dated October 9, 2002, at San Francisco, California.

/s/ CHARLOTTE F. TERKEURST

Charlotte F. TerKeurst
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Reopening the Record, Receiving Exhibits, and Submitting the Record on all parties of record in this proceeding or their attorneys of record.

Dated October 9, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.